

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set by the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The computer readable form of the "Sequence Listing" is not the same as the paper copy of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: _____

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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February 6, 2003

David Saliwanchik
David R. Saliwanchik, Patent Attorney

SEQUENCE LISTING
SUBMISSION UNDER
37 CFR §1.821
Docket No. SPO-115C1
Serial No. 09/888,035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Cynthia E. Collins
Art Unit : 1638
Applicant(s) : Atsunori Fukuda, Yoshiyuki Tanaka
Serial No. : 09/888,035
Conf. No. : 9222
Filed : June 22, 2001
For : Sodium/Proton Antiporter Gene

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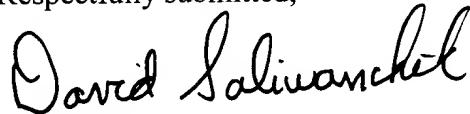
37 CFR §1.821 SUBMISSION OF SEQUENCE LISTING

Sir:

In compliance with 37 CFR §§1.821 through 1.825, transmitted herewith is a substitute sequence listing in computer readable form and on paper. A Second Notice to Comply with Sequence Requirements (mailed January 6, 2003) was received from the Patent and Trademark Office and a copy of the Notice is enclosed herewith.

I hereby certify that the attached sequence listing in computer readable form is identical to the attached paper copy of the sequence listing and that no new material is introduced by this submission.

Respectfully submitted,



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DRS/la

Attachments: Copy of Notice to Comply with Sequence Requirements
Sequence Listing on Paper
Sequence Listing in Computer Readable Form (disk)